

09/973.231F0591AMENDMENTS TO THE SPECIFICATIONIn the Specification:

At page 8, please replace first paragraph (lines 1-8) with the following:

—16 obtains such signature and compares it to a database of historical overlay signatures stored in a signature store 18. The historical database of signatures provides for M number of profiles (M being an integer) relating to various T-top gate states. The monitoring system 16 looks for similarity between the current signature and at least one of the historical signatures. Based on such comparison and other extrinsic data (e.g., process parameters) as well as other analytical tools, the monitoring system 16 makes an inference as to the current state of the T-top gate [15] (e.g., if T-top gate is forming correctly).

At page 10, please replace first paragraph (lines 1-5) with the following:

“the T-top gate as it is being formed. Monitoring involves directing light 32 at the wafer 60 and collecting light reflected 34 from the wafer [34]. The reflected light 34 is transformed or generated into a signature. The generated signature may then be compared to the signature store to determine the dimensions and the state of the T-top gate at that particular moment in the fabrication process.